

AMENDMENT

In the Drawings

The attached sheet of drawings includes amendments to Figures 1 and 2 and replaces the original sheet that contained the original version of Figures 1 and 2. As discussed in further detail below, Figures 1 and 2 have been amended to include proper cross-section hatching in accordance with M.P.E.P. § 608.

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REMARKS

The Applicants and the undersigned thank Examiner Nguyen for a careful review of the present application. Consideration of this application is respectfully requested in view of the following remarks, which are responsive to the Official Action mailed May 5, 2006.

Drawings Objections

The Examiner objected to the originally filed drawings alleging that they did not provide proper cross-section hatching according to M.P.E.P. § 608. Responsive to the Examiner's objection, the Applicants have prepared the attached replacement sheet containing amendments to Figures 1 and 2 with proper cross-section hatching. The Applicants submit that the amendments overcome the Examiner's drawing objection and kindly request withdrawal of the objection.

The Examiner also objected to the drawings under 37 C.F.R. § 1.83(a) on grounds that the drawings did not show every feature of the invention as specified in Claim 20. The Applicants have amended Claim 20 thereby rendering the objection mute.

Status of the Claims

Upon entry of this Amendment, Claims 1-31 remain pending in the present application. Claims 21-27 have been withdrawn from consideration in connection with a restriction requirement. Claims 1, 10, 16, 19, 20, 28, 30, and 31 are the independent claims that have not been withdrawn. The Examiner has rejected Claims 1-20 and 28-31. The Applicants have amended Claims 1-10, 12-17, 19, 20 and 28-31 without adding new matter.

Claim Objections

The Examiner objected to Claims 6, 7, 13, 29, and 31 on grounds of informalities. The current amendments render those objections mute.

Claim Rejections

The Examiner rejected Claims 1-19 and 28-31 under 35 U.S.C. § 103(a) based on an assertion that each of these claims is obvious over U.S. Patent Number 6,392,152 to Mottine, Jr. et al. (hereinafter “*Mottine*”) in view of U.S. Patent Number 1,798,486 to Murphy (hereinafter “*Murphy*”). The Examiner also issued a rejection under 35 U.S.C. § 103(a) of Claim 20 on grounds that *Mottine*, *Murphy*, and U.S. Patent Number 5,775,935 to Barna (hereinafter “*Barna*”) render the claim obvious. The Applicants offer the following remarks to traverse the pending rejections.

I. Independent Claims 1, 10, 28, 30, and 31 are patentable over the cited art

Claim 1

As amended, independent Claim 1 defines a communications cable that comprises: (i) a tube longitudinally surrounding a hollow core and having a user accessible area; and (ii) a first group and a second group of conductors disposed in the hollow core. The first group of conductors comprises: (i) a first conductor, circumscribed by a first shade of a first color selectively applied to the first conductor at the user accessible area; and (ii) a second conductor, circumscribed by a second shade of the first color selectively applied to the second conductor at the user accessible area. The second group of conductors comprises: (i) a third conductor, circumscribed by a first shade of a second color selectively applied to the third conductor at the user accessible area; and (ii) a fourth conductor, circumscribed by a second shade of the second color selectively applied to the fourth conductor at the user accessible area.

The Applicants respectfully submit that *Mottine*, *Murphy*, and *Barna* do not render amended Claim 1 obvious at least because the claim recites one or more features that are not disclosed, not taught, and not suggested by *Mottine*, *Murphy*, *Barna*, or by a hypothetical combination thereof. Moreover, amended Claim 1 recites a combination of features that *Mottine*, *Murphy*, and *Barna* do not individually or in combination disclose.

The invention of Claim 1, as amended, requires each of four conductors to be circumscribed by a respective color shade selectively applied at a user accessible area in accordance with the claim’s recitations. None of the cited references, either individually or in an

alleged combination, discloses a communications cable that has color shades selectively applied at a user accessible area as required by amended Claim 1.

In contrast to having color shades selectively applied at a user accessible area, *Murphy*, *Mottine*, and *Barna* all disclose and teach coloring the entire length of a conductor. See Murphy, Figure 2 and page 2, lines 69-79; *Mottine*, column 8, lines 27-60; and *Barna*, column 2, lines 38-43. In further contrast to the invention of amended Claim 1, *Barna* discloses a connector, having a color coded strip, that is attached to color-coded cables. *Barna* does not disclose, teach, or suggest selectively applying color shades to conductors at user accessible areas as required by amended Claim 1. See Barna, column 2, lines 38-61.

Claims 10, 28, 30, and 31

As amended, Claim 10 defines a communications cable that comprises a jacket defining a core and providing a location for user access. Exclusively at the location, a first conductor is circumscribed by a first tint of a color directly adhering to the first conductor and a second conductor is circumscribed by a second tint of the color. As discussed above, the disclosures of the cited references contrast with conductors that have tints of colors that directly adhere to the conductors exclusively at a location for user access as required by amended Claim 10.

Independent Claim 28, as amended, is a method claim that requires, at an identified location, selectively providing a first insulated conductor with a first color and a second insulated conductor with a second color having a lighter tint of the first color. The Applicants respectfully submit that the disclosure of *Mottine*, *Murphy*, and *Barna* contrast with the invention of amended Claim 28.

The method of amended Claim 30 requires providing, at a selected longitudinal location, a first cable in a first group with a first color and a second cable in the first group with a second color having a lighter tint of the first color. Meanwhile, the method of amended Claim 31 requires, at an access location, selectively covering a first optical fiber with a first color and a second optical fiber with a lighter tint of the first color. The Applicants respectfully submit that Claims 30 and 31, as amended, are distinguishable over the cited art at least because that art fails to disclose, teach, or suggest either of these requirements as recited in the claims.

In view of the foregoing discussion of distinctions between the references that the Examiner has cited and amended Claims 1, 10, 28, 30, and 31, the Applicants respectfully submit that each of these independent claims is allowable over those references. Accordingly, the Applicants courteously request for the Examiner to withdraw the pending rejections of Claims 1, 10, 28, 30, and 31.

II. Independent Claims 16, 19, and 20 are patentable over the cited art

As amended, Claim 16 defines a cable that comprises a jacket defining a core and a first group and a second group of UV-coated optical fibers disposed within the core. The respective UV coating of each optical fiber of the first group comprises a visibly distinct tint of a first color, and the respective UV coating of each optical fiber of the second group comprises a visibly distinct tint of a second color.

Neither *Mottine*, nor *Murphy*, nor *Barna* discloses a cable having a group of optical fibers with respective UV coatings that each comprises a visibly distinct tint of a color as required by amended Claim 16. In contrast to optical fibers that have UV coatings with tinted colors, *Mottine* discloses electrical wires with colored insulation. See Mottine, column 8, lines 27-60. Also in contrast to the invention of amended Claim 16, *Murphy* discloses covering the insulation of an electrical wire with “ordinary paint or pigment.” See Murphy, page 2, lines 18-33. In further contrast, *Barna* discloses an electrical connector having a color coded strip. See Barna, column 2, lines 38-61.

As amended, Claim 19 also includes a recitation related to optical fibers with tinted UV coatings. More specifically, amended Claim 19 requires a first and second group of cables, wherein each group of cables contains at least two optical fibers and wherein a first optical fiber in the first group comprises a UV coating having a first tint of a color and a second optical fiber in the first group comprises a UV coating having a second tint of the color. As discussed above the cited references do not disclose optical fibers and do not disclose tinted UV coatings as recited by amended Claim 19.

Claim 20, as amended, defines a communications system comprising a cable that comprises a first and a second optical fiber. The first optical fiber has a first color of ink applied

directly thereto, and the second optical fiber has a second color of ink, providing a lighter tint of the first color, applied directly thereto. The Applicants respectfully submit that none of the cited references, discloses, teaches, or suggests optical fibers that have ink applied thereto as required by amended Claim 20.

In view of the above, the Applicants submit that each of amended Claims 16, 19, and 20 is distinguishable over *Mottine*, *Murphy*, and *Barna* and respectfully request for the Examiner to withdraw the pending rejections of these claims.

III. Dependent Claims 2-9, 11-15, 17-18, and 29 are patentable over the cited art

Each of dependent Claims 2-9, 11-15, 17-18, and 29, as amended, incorporates the recitations of the respective claim or claims from which it depends. In view of the above-described distinctions between the references cited by the Examiner and the amended independent claims, the Applicants respectfully submit that dependent Claims 2-9, 11-15, 17-18, and 29, as amended, are patentable over *Mottine*, *Murphy*, and *Barna*. Furthermore, each of those dependent claims recites features and combinations of features further defining the present invention over the cited art. Accordingly, the Applicants request separate and individual consideration of each dependent claim.

One such feature that further distinguishes the present invention over the cited art is the recitation of amended Claim 4 for two groups of three conductors, wherein each of the three conductors is circumscribed by a respective color shade. In contrast to groups of threes, *Mottine* and *Murphy* teach grouping conductors in pairs. See Mottine, column 8, lines 27-60 and *Muphy*, Figure 2.

Another distinguishing feature relates to the recitations of amended Claims 7 and 8 for numerical values that specify levels of the first color in the first shade. Another requirement that distinguishes the invention of amended Claim 8 from the cited art is a binder and a ripcord. In yet another distinction, Claim 8 recites that the first shade of the first color and the second shade of the first color are only different enough to support visual color differentiation by a human installer of the communications cable.

Accordingly, the Applicants submit that *Mottine, Murphy, and Barna* fail to disclose, teach, or suggest the invention of dependent Claims 2-9, 11-15, 17-18, and 29, as amended, and respectfully ask the Examiner to withdrawal the pending rejections of these claims.

CONCLUSION

The foregoing is submitted as a full and complete response to the Official Action mailed May 5, 2006. The Applicants thank Examiner Nguyen for consideration of the amendments and remarks presented by this paper. The Applicants have shown that the pending claims are allowable, and allowance of the claims is respectfully requested. It is believed that this response places the application in condition for allowance. Such action is courteously requested. If there are any issues that can be resolved with an Examiner's Amendment or a telephone conference, a telephone call to the undersigned at 404.572.3486 is respectfully requested.

Respectfully submitted,



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